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NATIONAL SECURITY COUNCIL INTELLIGENCE DIRECTIVE NO. 9

COMMUNICATIONS INTELLIGENCE

Pursuant to the provisions of Section 101 and Section 102 of the National Security Act of 1947, the National Security Council hereby authorizes and directs that:

1. There is hereby established under the National Security Council the United States Communications Intelligence Board (hereinafter referred to as the "Board") to effect the authoritative coordination of Communications Intelligence activities of the Government and to advise the Director of Central Intelligence in those matters in the field of Communications Intelligence for which he is responsible.

2. The Board will be composed of not to exceed two members from each of the following Departments or Agencies: The Departments of State, the Army, the Navy, and the Air Force, and the Central Intelligence Agency. Only those Departments or Agencies designated by the President are authorized to engage in Communications Intelligence activities.

3. The Board members will be vested with authority to represent their respective Departments or Agencies in the field of Communications Intelligence and each member Department or Agency will be represented at each meeting by at least one member, or alternate, with the necessary powers to act.

4. Decisions of the Board will be based on the principle of unanimity, which shall be a prerequisite for matters within the purview of the Board, except that the Chairman shall be elected by majority vote. When decision cannot be reached, the Board will promptly refer the matter for resolution to the National Security Council; provided that, when unanimity is not obtained among the Department heads of the National Military Establishment, the Board shall present the problem to the Secretary of Defense before presenting it to the National Security Council.

5. Decisions and policies promulgated by the Board within the scope of its jurisdiction shall be applicable to all Departments and Agencies represented on or subordinate to the National Security Council and any others designated by the President, and shall be implemented by those Departments and Agencies of which action is required.

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6. The special nature of Communications Intelligence activities requires that they be treated in all respects as being outside the framework of other or general intelligence activities. Orders, directives, policies, or recommendations of any authority of the Executive Branch relating to the collection, production, security, handling, dissemination, or utilization of intelligence, and/or classified material, shall not be applicable to Communications Intelligence activities, unless specifically so stated and issued by competent departmental or agency authority represented on the Board.

7. The Board shall act for the National Security Council to insure proper and full implementation of Council directives by issuing such supplementary directives as may be required. Such implementing directives in which the Board concurs unanimously shall be issued to and implemented by the member Departments and Agencies. When disagreement arises in the Board upon such directive, the proposed directive, together with statement of nonconcurrence, shall be forwarded to the National Security Council for decision as provided in paragraph 4.

8. Other National Security Council Intelligence Directives to the Director of Central Intelligence and related implementing directives issued by the Director of Central Intelligence shall be construed as non-applicable to Communications Intelligence activities under the authority of paragraph 6 above, unless the National Security Council has made its directive specifically applicable to Communications Intelligence.

9. The Board will perform such functions as may be required to accomplish its objective set forth in paragraph 1 above, and in the exercise of responsibilities and authority delegated to it by the National Security Council in this directive.

10. The Board shall leave the internal administration and operation of Communications Intelligence activities to the member Departments or Agencies.

11. All currently effective decisions, policies, and operating arrangements of the Board and its predecessors, the Army-Navy Communications Intelligence Board, and the State-Army-Navy Communications Intelligence Board, as previously constituted, which are not in conflict with this directive, will remain in full force and effect unless changed by subsequent decisions of the Board.

12. Definitions. For purposes of this directive the following definitions apply:

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a. "Foreign communications" include all telecommunications and related materials (except Foreign Press and Propaganda Broadcasts) of the government and/or their nationals or of any military, air, or naval force, faction, party, department, agency, or bureau of a foreign country, or of any person or persons acting or purporting to act therefor; they shall include all other telecommunications and related material of, to, and from a foreign country which may contain information of military, political, scientific or economic value.

b. "Communications Intelligence" is intelligence produced by the study of foreign communications. Intelligence based in whole or in part on Communications Intelligence sources shall be considered Communications Intelligence as pertains to the authority and responsibility of the United States Communications Intelligence Board.

c. "Communications Intelligence activities" comprise all processes involved in the collection, for intelligence purposes, of foreign communications, the production of information from such communications, the dissemination of that information, and the control of the protection of that information and the security of its sources.

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